

IN THE CIRCUIT COURT OF THE 20TH JUDICIAL CIRCUIT IN
AND FOR LEE COUNTY, FLORIDA
GENERAL JURISDICTION DIVISION

CASE NO: 05-CA-001604

SUSANA GARCIA BADARACCO,

Plaintiff,

v.

RICARDO GARCIA BADARACCO,
HERMES INVESTMENT CO., INC.,
ATRUKEY, INC.,

Defendants.

200 South Biscayne Boulevard
Miami, Florida
Thursday, September 22, 2011

VIDEOTAPED DEPOSITION OF ERICH J. SPECKIN

VOLUME 1, PAGES 1 - 113

Taken before Gina Garcia, RPR, CRR, Notary Public in
and for the State of Florida at Large, pursuant to
Defendants' Re-Notice of Taking Videotaped Deposition Duces
Tecum filed in the above cause.

GOVERNMENT
EXHIBIT

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<p>1 Do you recognize Exhibit 10?</p> <p>2 A I do.</p> <p>3 Q What is Exhibit 10?</p> <p>4 A This is a PDF version -- no, I'm sorry,</p> <p>5 this is not the PDF version. This is the other one,</p> <p>6 the -- HTML or something version, HTM or HTML, I</p> <p>7 don't know, from -- of my CV from our website -- from</p> <p>8 my firm's website.</p> <p>9 Q Is that the current version that's</p> <p>10 available on your firm's website?</p> <p>11 A I don't know. It looks up to date. I</p> <p>12 suspect that it is, but I don't know if it is or not.</p> <p>13 I suspect this is what I produced and it is.</p> <p>14 Q Take a -- well, it says PLTF-EXP on the</p> <p>15 bottom, Plaintiff's expert, so --</p> <p>16 MR. MURPHY: That means it was produced by</p> <p>17 us --</p> <p>18 THE WITNESS: Right.</p> <p>19 MR. MURPHY: -- Squire Sanders; not by you.</p> <p>20 This doesn't come from your file.</p> <p>21 THE WITNESS: But you've got the date cut</p> <p>22 off as the one that was printed. I assume. It</p> <p>23 looks up to date and it's recent, but I can't --</p> <p>24 I can't say positively, but I think so.</p> <p>25</p>	<p>58</p> <p>60</p> <p>Q Tell me about that.</p> <p>A About that I was in high school and went to</p> <p>college early?</p> <p>Q Yes.</p> <p>A What do you want to know?</p> <p>Q Was that a summer program at Purdue</p> <p>University?</p> <p>A Yes, it was.</p> <p>Q So you went for a summer to Purdue</p> <p>University when you were 15?</p> <p>A I went -- yes, I went there when I was 15</p> <p>and when I was 16 for the summer.</p> <p>Q And what did you study there?</p> <p>A Let's see, when I was 15 -- well, when I</p> <p>was 16, it was Calculus. Calc I. And when I was 15,</p> <p>math, Problem Solving with Computers was the name of</p> <p>the class.</p> <p>Q So you took two classes at Purdue</p> <p>University when you were -- one when you were 15, one</p> <p>when you were 16?</p> <p>A That's correct.</p> <p>Q How is taking Calc I and Math Problem</p> <p>Solving with Computers studying engineering at Purdue</p> <p>University?</p> <p>A That's where you start.</p>
<p>59</p> <p>1 BY MR. FRIDMAN</p> <p>2 Q The date cut off is the way we received it</p> <p>3 from Squire Sanders. But why don't you take a look</p> <p>4 through the CV and let me know if you see anything</p> <p>5 that needs to be changed on it or that is inaccurate.</p> <p>6 A Oh, no, there's nothing that needs to be</p> <p>7 changed or inaccurate. If it's exactly as it appears</p> <p>8 today, I can't tell you without comparing the two,</p> <p>9 but I think it's the most up to date one. And I know</p> <p>10 it's up to date as of last year because it has the</p> <p>11 paper from 2010, and then I testified in Alaska --</p> <p>12 Q Okay.</p> <p>13 A -- which were from '10. I don't think it's</p> <p>14 been updated since then, so I would say it's probably</p> <p>15 the most recent, but I can't say positively.</p> <p>16 Q All right. Well, let's go through your</p> <p>17 experience. Let's talk about your education. It</p> <p>18 says that you went to Purdue University at age 15 to</p> <p>19 study engineering.</p> <p>20 A Correct.</p> <p>21 Q Is that right?</p> <p>22 A That's correct.</p> <p>23 Q Were you still in high school or did you go</p> <p>24 to college early?</p> <p>25 A Both.</p>	<p>61</p> <p>Q So your claim in your education that you</p> <p>were studying engineering at Purdue University at age</p> <p>15 really means that you took two basic courses; is</p> <p>that right?</p> <p>MR. MURPHY: Objection to form.</p> <p>THE WITNESS: I don't make a claim that I</p> <p>was studying engineering. It says to study</p> <p>engineering when I was 15, and that's what I</p> <p>did. I started that line, yes, that's exactly</p> <p>what happened.</p> <p>BY MR. FRIDMAN</p> <p>Q Is Calc I an engineering class?</p> <p>A You would have to ask Purdue. I don't know</p> <p>what they would classify it. I know it's a</p> <p>prerequisite. As to whether they classify that, I</p> <p>don't know.</p> <p>Q That's a mathematics class, right?</p> <p>A To me it is, yes.</p> <p>Q Is that engineering?</p> <p>A You would have to ask them. I don't have</p> <p>the answer. It's not to me, but to what they</p> <p>classify it, I don't know. I can't answer for them.</p> <p>Q And what about Math Problem Solving with</p> <p>Computers, is that engineering in your view?</p> <p>A Probably much more so than calculus. As to</p>

<p style="text-align: right;">62</p> <p>1 whether it would technically be engineering, I don't 2 know. Probably more so, yes. As to exactly -- I 3 mean, it's not chemical engineering or thermodynamics 4 or anything like that. Whether it has engineering 5 applications, of course, that's the point of taking 6 it. Whether you consider it engineering or not, I 7 would probably say it's a matter of semantic. I 8 would defer to whatever Purdue says. I don't know 9 the answer. 10 Q Well -- 11 A I don't classify it one way or the other, 12 so it's irrelevant to me. 13 Q You made -- you make the representation on 14 your website to the public that you went to Purdue at 15 age 15 to study engineering. 16 A It's exactly what I did, that's right. And 17 I told you what I did when I got there to pursue that 18 line. 19 Q But you just told us that you didn't 20 consider any of the classes that you took to be 21 engineering classes -- 22 MR. MURPHY: Objection to form. 23 BY MR. FRIDMAN 24 Q -- right? 25 A No, I didn't say that. Actually, I said I</p>	<p style="text-align: right;">64</p> <p>that's what it's intended to portray. I'm proud of the fact I went to college at 15. I think it's a big accomplishment. BY MR. FRIDMAN Q Did you get a degree from Purdue University? A I did not. Q Why not? A Because I left there and went to Albion next. Q But you took these courses over a summer, correct? A That's correct. Q When the summer was over, you went back to high school; right? A From the first summer when I was 15 I went back to high school, that's correct. But when I was 16, no, I went to college then. Q What college did you go to? A Albion College. Q Albion College. And what did you study at Albion College? It says here that you went to study biology and premedical; is that right? A That's exactly what it says, that's correct.</p>
<p style="text-align: right;">63</p> <p>1 think Math Problem Solving with Computers is 2 engineering, but I don't classify it anyway. What I 3 think doesn't make any difference. I went there to 4 study engineering. Just like when you went to law 5 school to study law, the first class might not have 6 been Tort Law, I don't know, I wasn't there with you, 7 obviously. 8 Q It was. 9 A That was perhaps a bad example, then. 10 My point is that when you go to study 11 something, like when I went to study premed, my first 12 class wasn't Anatomy. It's along the lines you have 13 to go to get there. When I was 15, I wasn't at the 14 end taking engineering class, obviously, but I went 15 to study that, yes. 16 Q You think the average person reading this 17 website that says "went to Purdue University at age 18 15 to study engineering" would think, wow, this is a 19 child prodigy that went and took these high-level 20 engineering classes, not basic prerequisite; right? 21 MR. MURPHY: Objection, form. 22 THE WITNESS: I would say part A of that 23 sentence would be correct, that I was a pretty 24 smart kid and that was the point in putting this 25 here. And I actually believe that I am, and</p>	<p style="text-align: right;">65</p> <p>Q And what was the course of study? A Premed requirements. And to -- I believe my declared major was biology at that point in time. Q And what classes did you take that related to premed or biology? A At Albion when I was 17, you want to know what classes I took? Q Well, this is -- A You want me to list them as best I can from memory for you? Q This is on your website, so please -- please list them as best you can remember. A No, the list of classes I took when I was 17 is not on the website. The general idea that it was premed is on the website. Now you're asking me what specific classes did I take. I am happy to tell you as best I can remember from 22 years ago. Q If you remember. A I remember my first class was economics. From there, let's see, my last class of the day was psychology. From economics I believe I went -- first term went economics, calculus, chemistry, lunch, psychology, as best I can remember. Second term -- that being Calc II. Second term, perhaps a bit more of a blur.</p>

<p style="text-align: right;">66</p> <p>1 MR. MURPHY: Frequently it is the case.</p> <p>2 THE WITNESS: I can't tell you one class</p> <p>3 from the second term, I don't remember.</p> <p>4 BY MR. FRIDMAN</p> <p>5 Q Okay. So which of the classes -- is</p> <p>6 economics a biology or premedical class?</p> <p>7 A It's a premed requirement. It was part</p> <p>8 of -- all the classes, I believe, were requirements</p> <p>9 to get a degree or to -- for medical school, the</p> <p>10 background ones.</p> <p>11 Q Oh, so this is your basic course</p> <p>12 requirements that you need to get to get a liberal</p> <p>13 arts degree from the school; right?</p> <p>14 MR. MURPHY: Objection to form.</p> <p>15 THE WITNESS: Some of them were along those</p> <p>16 lines, some were to get a degree in biology and</p> <p>17 some were requirements for medical -- some were</p> <p>18 all three.</p> <p>19 BY MR. FRIDMAN</p> <p>20 Q How long were you at Albion College?</p> <p>21 A One year.</p> <p>22 Q Where did you go next?</p> <p>23 A The next -- I had a couple of classes at a</p> <p>24 community college, but I don't believe I went</p> <p>25 directly there, no. I took a term off.</p>	<p style="text-align: right;">68</p> <p>smart guy and that portrays it, and that was the</p> <p>point; and on top of the fact, I did.</p> <p>Q Now, when you were 18, that's when you</p> <p>testified earlier you started one of your businesses;</p> <p>right? Is that why you took time off?</p> <p>A No, it's not.</p> <p>Q Okay. Why did you take time off?</p> <p>A I started working for Two Men and a Truck.</p> <p>I was one of the first ones they had ever hired. I</p> <p>rode my bike to the very first franchise they had and</p> <p>I worked up to setting up franchises as they were</p> <p>expanding all over the country. I think they're here</p> <p>in Miami now.</p> <p>Q This is a moving service?</p> <p>A That's correct, yes.</p> <p>Q How long did you work for Two Men and a</p> <p>Truck?</p> <p>A For about a year, maybe a year and a half.</p> <p>Q Why did you do that as opposed to</p> <p>continuing on in school and pursuing your</p> <p>engineering, biology or premedical career?</p> <p>MR. MURPHY: Objection to form.</p> <p>THE WITNESS: I did both. I took classes</p> <p>while I was there, but I took one term off. I</p> <p>don't remember which one it was, but I took one</p>
<p style="text-align: right;">67</p> <p>1 Q You took a term off?</p> <p>2 A Right. Yes, I took a term off. I took --</p> <p>3 well, I took the summer, and I don't believe I went</p> <p>4 in the fall either.</p> <p>5 Q Was that when you were 18?</p> <p>6 A Let's see. '89, the summer of '90. In the</p> <p>7 summer I was 17, and the fall term when I would have</p> <p>8 started, I would have been just 18, right.</p> <p>9 Q But you didn't go back to school when</p> <p>10 you -- when the fall term came around and you were</p> <p>11 18?</p> <p>12 A Fall term came around and I was 18. And to</p> <p>13 the best of my recollection, I did not go back to</p> <p>14 school that term. I'm not positive, but I don't</p> <p>15 think that I did. It's possible I went back in the</p> <p>16 fall and took the spring off, though. I'm not -- I</p> <p>17 mean, that's 21 years ago, I don't know which one I</p> <p>18 went. What am I trying to think of it for? I don't</p> <p>19 know, I don't care. I took one of them off, I don't</p> <p>20 know.</p> <p>21 Q For what purpose did you list on your</p> <p>22 website that you were studying engineering at age 15</p> <p>23 and at age 17 you were studying biology and</p> <p>24 premedical?</p> <p>25 A I just told you, I think I was a pretty</p>	<p style="text-align: right;">69</p> <p>term off and then went back.</p> <p>BY MR. FRIDMAN</p> <p>Q Okay. So when did you go back to school</p> <p>full-time?</p> <p>A I just told you, I don't remember if it was</p> <p>the fall or the spring. I don't know. Honestly, I</p> <p>never committed it to memory, I never cared which</p> <p>term I went back to 21 years ago. I don't know.</p> <p>Q I'm just trying to get a sense of your</p> <p>course of study. What --</p> <p>A Seriously?</p> <p>Q Where did you study next?</p> <p>A Seriously, what term I went back at is the</p> <p>course of my study?</p> <p>Q I'm not asking you what term you went back,</p> <p>I'm trying to understand what you studied in school</p> <p>and what schools you went to.</p> <p>So you said you went to a community</p> <p>college. What was the name of the community college?</p> <p>A Lansing Community College.</p> <p>Q Okay. How long were you at Lansing</p> <p>Community College?</p> <p>A I believe I took two semesters there, but</p> <p>it was on trimesters now that I think about it, so it</p> <p>might have been three trimesters. I think it was</p>